

HOME EDITION

MONDAY EVENING.

TOPEKA, KANSAS, OCTOBER 4, 1915.

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THIS EDITION 2 CENTS.

GAS RATE WILL NOT BE RAISED

Kansas Utilities Commission
Wins in Supreme Court.

No 30-Cent Supply for Kansas
Consumers This Winter.

NO RIGHTS FOR FLANNELLY

Court Decides He Didn't Have
Jurisdiction to Make Rate.

Utilities Commission Must
Hurry and Make Rate.

There will be no thirty cent gas in Kansas this winter under the decision of the state supreme court which today held that the gas rate making power was vested in the public utilities commission. It was denied by the court that an interstate commerce issue was involved or that Judge Flannelly of Montgomery county had the right to fix rates for receivers for the Kansas Natural Gas company.

The court's decision is a victory for the public utilities commission on every important issue. While a writ of mandamus is denied at this time, the contemplated increase in rates by the gas company is set aside.

Ask Another Hearing.
Relief may be sought by the gas company through an application for another rate hearing. The order of the court makes clear that the commission must allow a reasonable rate and on this flaring the receivers may take new hope. Failing to ask another hearing, the case will then undoubtedly go to the supreme court of the United States.

State against the commission can be brought only in Shawnee county, the court held.
It was reported at the state house today that a conference of the gas receivers and their attorneys may be held tonight in Kansas City. Immediate action is anticipated, although there is but a meagre chance that the rates will be increased this winter.

Severe Demurrer.
In its findings today the supreme court sustains the demurrer of the public utilities commission which attacked the petition of gas company receivers. The court also sets aside Judge Flannelly's injunction against the commission, blocking that body's further interference in the gas controversy.

After in the supreme court as directed against Judge Flannelly is set aside and dismissed, the case is set for another hearing.

ALBANIANS TAKE TOWN

"Phantom" Army Reported to Have
Swooped Down on Elbasan.

Vienna, Oct. 4.—The Neues Wiener Journal has a report from Sofia that Albanian troops have occupied Elbasan, sixty-four miles southeast of Scutari, after defeating forces under Essad Pasha.

The reference to "Albanian troops" is somewhat difficult of explanation, as there is no established Albanian government, although the Albanians have claimed control of the country since the war began. Previous dispatches have reported that forces under the command of Essad Pasha, former provisional president of Albania, were fighting with Mirdites, members of an Albanian tribe. It is possible the Mirdites may be the troops who have occupied Elbasan.

BIG LOAN COMPLETED
JOHN D. ROCKEFELLER, SR.,
TAKES \$10,000,000 SLICE

New York, Oct. 4.—An important announcement indicating the success of the Anglo-French loan was made today by J. P. Morgan & Co. It was to the effect that no subscriptions to the underwriting syndicate will be received after 10 a. m. tomorrow.

John D. Rockefeller was reported today to have subscribed to the \$500,000,000 Anglo-French loan issue. It was said his subscription was among the largest taken by individual investors and approximately \$10,000,000. At the Standard Oil company's offices here a member of the Rockefeller staff declined to comment on the report. Mr. Rockefeller is at his home at Pocantico Hills.

Overtures looking toward Mr. Rockefeller's participation were made about two weeks ago by J. P. Morgan, discussed the subject with John D. Rockefeller, Jr. After Mr. Morgan had called at the Rockefeller offices it was said authoritatively that Mr. Rockefeller would regard the big loan purely as a business transaction.

There is small likelihood that Mr. Rockefeller's participation will ever be officially announced, unless he sees fit to announce it. The syndicate managers have decided not to make public the list of large individual subscribers.

HIGH LIGHTS OF WAR NEWS OF ONE YEAR AGO TODAY

The French war office admitted that the allied forces had been forced to fall back slightly after terrific fighting, but declared that the situation in general was satisfactory.

The German army headquarters declared that the battle in the Argonne district is proceeding successfully. Three Antwerp forts were declared captured. It was announced that the left wing of the Russian army had been defeated and 2,000 prisoners taken.

Petrograd reported that the Russians were prepared to make another attempt to invade East Prussia.

Vienna declared that the Serbians and Montenegrins were being driven from Bosnia. This was denied by the Serbians. German forces have been engaged by the French in the Belgian Congo.

'COPE' GORDON WILL Well Known Kansan Has Been Unconscious 3 Days.

For Many Years Was Owner of
Copeland Hotel.

J. Copeland Gordon, 84 years old, pioneer Topekan and owner of the once famous Copeland hotel, is on the threshold of death, according to Dr. L. H. Munn and Dr. M. W. Mills, who are his physicians. Gordon's condition has remained unchanged for the

last three days, the doctors say, and they do not believe he will live more than a few days more. The old-time landlord cannot recognize his friends and lies in a half-unconscious stupor in his rooms at Ninth and Kansas avenues.

"Cope" Gordon and the Copeland hotel are well known landmarks. Every politician in the state has heard of "Copeland country," the name that the hotel had when it was a famous political rendezvous. Many of the old school members of some of the memorable happenings in "Copeland country," and those who do not remember have heard.

Gordon came to Topeka in 1855. He went into the hotel business in 1863, built the Copeland hotel in 1882 and ran it until September, 1902, when it was taken over by James Chappelle, who ran it five years, when it was again taken over by Mr. Gordon and was burned in 1909. While in the hotel business Mr. Gordon had the honor of entertaining President Hayes, President McKinley and President Roosevelt.

Mr. Gordon's health has become run down because of his age and he is suffering from diabetes and general senile debility, the doctors say.

Character, Who Is Seriously Ill in Topeka Today.

NEGROES WILL PROTEST
Those Opposed to Madison School
Closing To Air Views Tonight.

At a meeting of the board of education which will be held tonight the Rev. N. L. Smith, pastor of Lane chapel, and other colored men will be present to protest against the action of the school board in closing the Madison school.

The Madison school was closed Thursday and the twenty-nine pupils of the school are now being taken in a motor bus to the Monroe school.

The colored people of the city believe that the colored teachers and janitors of the city schools are not being fairly treated.

FAST BATTLE CRUISERS
Speedy Fighting Ships to Be Included
in U. S. Naval Program.

Washington, Oct. 4.—President Wilson, Secretary Daniels and Chairman Padgett, of the house naval committee, decided today at a conference at the White House that the naval program for the coming session of congress shall include the addition of fast battle cruisers to the American fleet. The navy now has none.

BASEBALL TODAY.

At Boston—First game—
Score: R. H. E.
New York..... 1 9 3
Boston..... 4 7 0
Batteries: Perritt and Meyers; Tyler and Whaling.

At New York—First game—
Score: R. H. E.
Boston..... 1 6 2
New York..... 5 9 2
Batteries: Leonard, Grege and Carrigan; Halsey, Markle and Alexander.

Weather Forecast for Kansas:
Generally fair tonight and Tuesday;
cooler, with frost tonight.

CRISIS IS FORCED

Russia Cuts Issue Clearly in the
Balkans.

Bulgaria Must Divorce Teutons
or Face Break.

KING IS HELD RESPONSIBLE

Czar Not to Take Repressive
Measures Against People.

Petrograd to Withdraw Its
Minister at Sofia.

Paris, Oct. 4.—Concentration of the Bulgarian army has begun, according to a dispatch from Athens under yesterday's date, to the Havas News agency. The correspondent asserts he has authoritative information to this effect. The total number of Bulgarians engaged in this movement is estimated at 350,000.

Petrograd, Oct. 4.—Unless Bulgaria has conceded fully the demands of Russia concerning the breaking off of relations with the central powers by 2 o'clock this afternoon the Russian minister at Sofia and his staff will depart.

The Greek government has seized the Macedonian railways, an official announcement says. Besides the Russian ultimatum giving Bulgaria twenty-four hours to dismiss German and Austrian officers now with its army, it is reported in Rome that the quadruple entente powers, acting jointly, will present a note to Bulgaria demanding that she explain her attitude.

According to Bucharest reports von Mackensen is on the Serbian frontier with 250,000 Teutonic troops and two thousand guns, withdrawn from the Russian war theater for the most part.

WAR NEWS BOILED DOWN
FOR THE RUSHED READER

French troops have made further progress in the continuation of the general offensive movement on the western front. The Paris war office reports advances in the forest of Givenchy and at Hill No. 119, where the allies are thrusting at the defenses of Lens.

French troops have been active behind the German lines and a squadron of them has dropped forty shells of heavy caliber on the railroad station at Metz. The situation in the Balkans continues tense. An announcement by the official government organ at Athens indicates that French troops have been landed at Saloniki to assist Greece. This announcement is regarded as resolving all doubts as to Greece entry into the war.

WILL TAKE NO RISK

Livestock Men of 13 States to
Fight Cattle Disease.

Safeguard District From "Foot
and Mouth" Outbreak.

PLACE BAN ON ALL SHIPMENTS

Kansas Would Not Endanger
Territory by Carelessness.

Uniform Quarantine Against
Shipping Will Be Asked.

Kansas City, Mo., Oct. 4.—Live stock commissioners and representatives of the cattle industry from thirteen western states met here today to consider the situation created by the foot and mouth disease. Each of the states represented are now said to be free from the disease and an attempt will be made at the conference to agree on a plan by which the district will be safeguarded against another outbreak.

Joseph H. Mercer, live stock commissioner of Kansas, issued the call for the meeting, following a conference with J. H. Avery, president of the live stock sanitary board of Texas, and Dr. D. F. Luckey, state veterinarian of Missouri.

CONCENTRATION OF THE BULGARIAN ARMY
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COURT IN SESSION

Supreme Body in Topeka After
Two Months Recess.

Many Important Cases Are
Pending Before Justices.

The Kansas supreme court convened here today for the October session after a two-months' recess during the summer. In addition to the suit to test the constitutionality of the state oil inspection act and the suit to determine jurisdiction over the recovery of the Kansas Natural Gas company and the rates to be charged by them for their product, many minor cases are pending before the court.

Among the cases on the docket for today was a suit in mandamus by the Kaw Valley Drainage Board of Kansas City, Kan., which seeks to compel the Kansas City Terminal company to raise railroad bridges over the Kansas river at its mouth, thus preventing the river overflowing adjacent land in times of high water.

The court's first regular "opinion day" will be held next Saturday when decisions will be handed down in some of the July submissions.

While the court has been in recess for the last two months arrangements were made so that there were always several justices in Topeka, who could be called to hear important cases demanding immediate attention.

George Edwards Dead.
London, Oct. 4.—George Edwards, the well-known English theatrical manager, died in London this morning after a long illness.

REHEARSING FOR MOBILIZATION OF CONGRESS

ALL THE MUNITION
FACTORIES
SHOULD BE
MAKING BUTTON
HOOKS, CHEWING
GUM AND PAPER
COLLARS FOR
THE IVORY
HUNTERS-OF
AFRICA!!

CONGRESSMAN SOTAS MUSH

CONGRESSMAN PAERIKA TO BASCO

CONGRESSMAN HON. JIM WINDJAMMER

CONGRESSMAN LUCE KNUTT

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VON MACKENSEN DUTS RUSSIAN FRONT TO LEAD MEN TO CONSTANTINOPLE

Bucharest, Oct. 4.—Field Marshal von Mackensen, with 250,000 troops withdrawn from the Russian front, have arrived at the Serbian frontier and will direct the Austro-German march on Constantinople, according to the newspaper Epoca.

The Austro-Germans have about 2,000 guns of all calibers, the newspapers reported. General Mackensen is said to have established quarters at Versecz.

The above report is not confirmed from any other source. It is a fact, however, that the Austro-Germans, has been making no progress against the Russians for about ten days, although the Russians were not presumed to be in large force east of Pinsk. Dispatches from Swiss sources stated that the troops for the Balkan campaign were being withdrawn from Mackensen's army.

GUN PLAY FEARED

Mexican Witness in Reyes Mur-
der Trial Searched in Court.

Attorneys for Accused Man
Warn Officers Against Trouble.

A sensational turn developed in the murder case against Cristobal Reyes, a Mexican, in the second division of the district court today when Rafael Espinoza was searched by Joe Holman, deputy sheriff, for a gun. It was feared that Espinoza might start shooting in the court room because he said to be particularly bitter against some of the witnesses in the case. Every precaution is being taken by the sheriff's force to keep the Mexicans quiet and preserve order in the court.

The searching of Espinoza was a sort of safety first movement on the part of Holman.

Esposito has the reputation of being the worst Mexican in town, said Holman, in explaining his reason for searching the man. "He was following Cristobal Reyes the day Reyes shot and killed Ysidro Ortiz. You can never tell what those Mexicans will do and we wanted to be sure that he was not carrying a weapon. I did not find a gun on him."

Feeling Is Intense.
County Attorney W. E. Atchison and Robert D. Garver, assistant county attorney, who are prosecuting the case for the state, did not know anything of the searching of Espinoza. Neither did Judge George H. Whitcomb have any idea that there might be trouble in the court room. Attorney Moore and Attorney Reyes told this morning that there was intense feeling between some of the witnesses and that there might be trouble.

Evidence in the case was introduced this morning showed that Cristobal Reyes shot and killed Ysidro Ortiz at the home of Thomas Alonzo, 122 Klein street, on the evening of September 6, Labor Day. The defense admits the shooting but plans to show that Reyes shot Ortiz in self defense. The attorneys for Reyes brought out the fact that Ortiz was reaching for his revolver when Reyes shot him.

Reyes Unconcerned.
Reyes watched the trial this morning with apparent unconcern. On his lap sat Napoleon Lopez, 3 years old. Reyes is the boy's grandfather. The youngster slept peacefully through the trial with his little black haired head nestled on Reyes's shoulder.

BOMB MAN ON TRIAL

Matthew A. Schmidt Arraigned in
Times Dynamiting Case.

Los Angeles, Oct. 4.—The trial of Matthew A. Schmidt, on a charge of murder in connection with the dynamiting of the Los Angeles Times building, October 1, 1910, was begun today before Judge Frank H. Willis. David Caplan, arrested last February in Seattle, a few days after Schmidt's arrest in New York, was given a separate hearing on a similar charge.

The scene of the trial is the court room where James B. McNamara pleaded guilty to the same charge four years ago, and his brother, John J. McNamara, to the charge of dynamiting the Llewellyn iron works.

Among the more important witnesses for the prosecution will be Ortie E. McManigal, a conspirator, who was arrested in Detroit in 1911 with James B. McNamara and who later turned state's evidence. He has been living in Honduras since the McNamara trial, according to the prosecution.

Los Angeles, Oct. 4.—(By wireless to Sayville)—It was officially announced today that two British monitors had been damaged before La Panne by German naval airships.

Berlin, Oct. 4.—(By wireless to Sayville)—It was officially announced today that two British monitors had been damaged before La Panne by German naval airships.

La Panne is a little Belgian village situated on the Dutch coast close to the French border. It is three and one-half miles west of Furness. The submarine cable to Dover begins at La Panne.

TO TEACH MOTHERHOOD

Regular College Course Will Be
Offered at Chicago University.

Chicago, Ill., Oct. 4.—A college course in motherhood soon will be offered at the University of Chicago. Every branch of the subject will be taught, from the preliminary upbringing of the child to the care of the mother-to-be in the west. The course will be in charge of Dr. Maria May, head of all the university's medical work, including the university household. She sponsored the plan and her efforts have brought it to a realization.

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TO AID OF GREECE

French and British Prepare to
Land Their Troops.

No More Doubt of Greeks En-
tering World War.

TO OPERATE AGAINST BULGARIA

Railroads Seized as an Extra
Precaution in Nation.

"Traditional Friends of Greece
and Not Otherwise."

Paris, Oct. 4.—French troops have continued to make progress to the north of Athens according to the announcement given out by the French war office this afternoon.

There has been almost continued fighting between the trenches, accompanied by artillery exchanges in the vicinity of Neovroun and Quenneviers. There also has been artillery fighting in the Champagne district.

A squadron of French aeroplanes has thrown down some forty shells of heavy calibre on the railroad station at Metz.